



CITY OF NEWPORT BEACH LAND USE ELEMENT ADVISORY AMENDMENT COMMITTEE AGENDA

**Newport Beach Central Library
Friends Room
1000 Avocado Avenue
Tuesday, November 5, 2013
3:30 p.m. – 5:00 p.m.**

Committee Members:

Ed Selich, Councilmember (Chair)
Nancy Gardner, Council Member
Kory Kramer, Planning Commissioner
Larry Tucker, Planning Commissioner
Craig Batley, Member-At-Large
Michael Melby, Member-At-Large
Patricia Moore, Member-At-Large
Jim Walker, Member-At-Large
Paul Watkins, Member-At-Large

Staff Members:

Kim Brandt, Community Development Director
Brenda Wisneski, Deputy Community Development Director
Gregg Ramirez, Senior Planner
Leonie Mulvihill, Assistant City Attorney
Tony Brine, Traffic Engineer
Woodie Tescher, The Planning Center | DC&E (consultant)
Marissa Aho, The Planning Center | DC&E (consultant)

1) CALL MEETING TO ORDER

2) APPROVAL OF MINUTES

Recommended Action: Approve October 1, 2013 Meeting Minutes (Attachment 1)

3) SCHEDULE OF LAND USE ELEMENT GOAL AND POLICY REVIEW (Attachment 2)

4) GOAL & POLICY INTRODUCTION

- a. Legislative requirements and best practice for goal and policy language
- b. Existing Land Use Element organization

5) SCOPE OF POLICY REVISIONS

- a. Recent legislation and court cases
- b. Current issues/contemporary practices
- c. Policies adopted by the City subsequent to GP adoption
- d. Technical revisions (e.g., Specific Plan deletions)
- e. Others

6) NEXT STEPS

7) SUPPLEMENTAL EIR SCOPING MEETING – Tonight, 6:00 p.m. in Library Friends Room

8) PUBLIC COMMENTS ON NON-AGENDA ITEMS (Public Correspondence - Attachment 3)

9) ADJOURNMENT – Next Meeting December 3, 2013, at 3:30 p.m.

This Committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Committee's agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Committee. The Committee may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the City Clerk's Office at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or cityclerk@newportbeachca.gov).

Attachment No. 1

October 1, 2013 Meeting Minutes

City of Newport Beach

Land Use Element Amendment Advisory Committee Minutes

Date: October 1, 2013

Location: Newport Beach Central Library – 1000 Avocado Avenue
Friends Room

Members Present: Edward Selich, Council Member (Chair)
Nancy Gardner, Council Member
Kory Kramer, Planning Commission
Larry Tucker, Planning Commission
Craig Batley, Member-At-Large
Michael Melby, Member-At-Large
Patricia Moore, Member-At-Large
Jim Walker, Member-At-Large
Paul Watkins, Member-At-Large

Members Absent: Jim Walker, Member-At-Large

Staff: Kim Brandt, Community Development Director
Brenda Wisneski, Deputy Community Development Director
Gregg Ramirez, Senior Planner
Dave Webb, Public Works Director
Leonie Mulvihill, Assistant City Attorney
Woodie Tescher, The Planning Center|DC&E (consultant)
Marissa Aho, The Planning Center|DC&E (consultant)
Marlie Whiteman, Urban Crossroads (consultant)

I. Call Meeting to Order

The meeting was called to order at 3:31 p.m. by Chair Selich.

II. Approval of Minutes

Motion (Watkins) to approve minutes as augmented by the September 17th audiotape with minor corrections submitted by Jim Mosher, and Paul Watkins.

III. Recap of Planning Commission and City Council Study Sessions

Tucker reported on the Planning Commission study session. Indicated that the Commission's direction to the Advisory Committee was to study potential land use changes as broadly as possible, but stay on schedule. Of the two directions, keeping on schedule has priority.

Chair Selich indicated that the City Council study session feedback was the same.

IV. Additional Staff Recommendations/Discussion Paper

a. Mariners' Mile

Tescher gave an overview of the updated discussion paper. Wisneski said that at the study session the City Council discussed the need for creating a CAP for the next fiscal year to address the Mariners' Mile area in greater detail.

b. Airport Area

Tescher reviewed the discussion paper and highlighted the following:

- Land use changes and additional impacts require coordination with Airport Land Use Commission (ALUC) and adjacent jurisdictions.
- Comments from adjoining jurisdictions could require additional analysis and extend the time frame for preparation and processing of SEIR.
- ALUC consistency process and the possible need for City Council override if opposition could occur within SEIR timeframe, however (worst case) may extend time frame by 66 days+.

Committee members discussed the timing of the coordination with the ALUC. Staff and consultants will begin discussions with these entities prior to the draft SEIR to .

V. Finalize Land Use Changes to be Considered in Supplemental Environmental Impact Report (SEIR)

The Subcommittee reviewed the land use changes presented on the matrix titled, "Potential Land Use Changes for LUEAC Review and Approval". A total of 18 recommendations were under consideration, in the following categories:

"Areas with reduced development capacity" – The Committee unanimously approved all listed land use changes for analysis in the SEIR.

"Areas with no change of development capacity" – The Committee unanimously approved making no land use changes in Lido Village and Mariners' Mile.

"Areas with change of land use designation and increased development capacity" – The Committee unanimously approved all listed land use changes for analysis in the SEIR.

Additional considerations (Map Reference areas 1b, 4, 15, 16, 17, and 18):

Map Reference 1b: 1499 Monrovia (city-owned property) – The Committee unanimously supported staff's recommendation to maintain the existing land use designation (Multiple Residential) and remove it from the process.

Map Reference 4: Airport Area – The Committee unanimously approved the following for analysis in the SEIR:

- a. Saunders Property
Representative reduced the project to remove residential outside 65 CNEL Noise Contour line, resulting in a total of 329 additive dwelling units at approximately 50 DU per acre.
- b. The Hangars
Representative indicated that the owner was looking at phased development of General Commercial.
- c. Lyon Communities
Representative modified the request to include 850 replacement units, 150 room hotel and 85,000 SF of retail resulting in approximately 5,000 trips.
Tucker questions 85,000 SF of retail. Kramer in favor of studying mixed use – will help to determine higher and best use. Selich confirmed that if the SEIR studies this option to establish an envelope and the Committee could recommend a less intense.
- d. UAP Companies
To allow additional square footage for congregate care as long as it is trip neutral.. Independent traffic studies have indicated that the site could accommodate 170 units.
- e. Fletcher Jones
Clarification – request is for auto use in MU-H2 zone within the Airport Area.
Representative requested that the record be clear that the request is to allow that auto uses be permitted through a CUP in the MU-H2 zone within the Airport Area. Policy section of LUEA could include additional policies related to the auto use.

Map Reference 15 Newport Ridge: A proposed reduction of 366 dwelling units. – approved unanimously for analysis.

Map Reference 16 Promontory Point Apartments: Increase of 50 dwelling units. – approved unanimously for analysis.

Map Reference 17 150 Newport Center Drive: Change designation to Mixed Use and allow for 125 hotel rooms – approved unanimously for analysis.

Map Reference 18 100 Newport Center Drive: Requested mixed use designation and an additional 15,000 SF of commercial/museum uses - approved unanimously for analysis.

VI. Next Steps

Tescher described the next steps and how the Advisory Committee, Planning Commission, and City Council will work to make final recommendations.

VII. Public Comment on Non-Agendized Items

None

VIII. Adjournment *Next Meeting Date: November 5, 2013, at 3:30 p.m.*

The agenda for the Regular Meeting was posted on September 26, 2013, at 2:30 p.m., on the City Hall Electronic Bulletin Board located in the entrance of the Council Chambers at 100 Civic Center Drive.

Attachment No. 2

Policy Comments from Committee Members

INSTRUCTIONS: The table below lists the existing Land Use Element GOALS and POLICIES and policies, and applying these for development review and entitlement and other City actions. You may want to consider relevance, practical and fiscal feasibility, and consistency with other City policies. If you believe a policy should be added, changed, or deleted, please note this in the second column. Specific recommendations for language changes should be noted in the second column. Please email your comments to: **Gregg Ramirez** at GRamirez@newportbeachca.gov by **October 20, 2013**.

Comments submitted by Larry Tucker, Land Use Committee Member.
Policies with no changes have been deleted to limit file size.

Goals/ Policies
Roles and Character of Newport Beach ("Who We Are")
LU 1. <i>A unique residential community with diverse coastal and upland neighborhoods, which values its colorful past, high quality of life, and community bonds, and balances the needs of residents, businesses, and visitors through the recognition that Newport Beach is primarily a residential community.</i>
LU 1.1 Unique Environment. Maintain and enhance the beneficial and unique character of the different neighborhoods, business districts, and harbor that together identify Newport Beach. Locate and design development to reflect Newport Beach's topography, architectural diversity, and public (?) view sheds. <i>(Imp 1.1)</i>
LU 1.3 Natural Resources. Protect the natural setting that contributes to the character and identity (identity) of Newport Beach and the sense of place it provides for its residents and visitors. Preserve designated open space resources, beaches, harbor, parks, bluffs, preserves, and estuaries as visual, recreational and habitat resources. <i>(Imp 1.1)</i>
LU 1.4. Growth Management. Implement a conservative growth strategy that enhances the quality of life of residents and balances the needs of all constituencies with the preservation of designated open space and natural resources <i>(Imp 1.1, 10.2)</i> [Not sure what word "conservative" adds as either a project complies with general plan or it doesn't.]
Uses to be Accommodated ("What Uses Contribute to Our Community?")
LU 2. <i>A living, active, and diverse environment that complements all lifestyles and enhances neighborhoods, without compromising the valued resources that make Newport Beach unique. It contains a diversity of uses that support the needs of residents, sustain and enhance the economy, provide job opportunities, serve visitors that enjoy the City's diverse recreational amenities, and protect its important environment setting, resources, and quality of life.</i>
LU 2.4 Economic Development. Accommodate uses that maintain or enhance Newport Beach's fiscal health and account for market demands, while maintaining or improving the quality of life for current and future residents. <i>(Imp 1.1, 24.1)</i>
LU 2.5 Harbor and Waterfront Uses. Preserve the uses of the Harbor and waterfront that contribute to the charm and character of Newport Beach and provide needed support for recreational and commercial boaters, visitors, and residents, with appropriate regulations necessary to protect the interests of all users as well as adjoining residents. <i>(Imp 1.1, 2.5, 5.1)</i>
LU 2.6 Visitor Serving Uses. Provide uses that serve the visitors to Newport Beach's ocean, harbor, open spaces and other recreational assets, while integrating them to protect ing the quality of life for neighborhoods and residents. <i>(Imp.1.1, 2.1, 5.1, 24.1)</i>
Organizational and Form of Uses ("How Are Land Uses Distributed?")
LU 3. <i>A development pattern that retains and complements the City's residential neighborhoods, commercial and industrial districts, open spaces, and natural environment.</i>
LU 3.1 Neighborhoods, Districts, Corridors, and Open Spaces. Except as allowed under LU 3.2, M maintain Newport Beach's pattern of residential neighborhoods, businesses and employment districts, commercial centers, corridors, and harbor and ocean districts. <i>(Imp 1.1)</i>
LU 3.2 Growth and Change. Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale, and character. Changes in use and/ or density/ intensity should be considered only in those areas that are economically underperforming or are underutilized, or are necessary to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service. <i>(Imp 1.1, 2.1, 5.1, 10.2, 16.2, 17.1, 18.1, 19.1, 22.1, 23.1, 23.2)</i>

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Goals/ Policies	
LU 3.3 Opportunities for Change. Provide opportunities for improved development and enhanced environments for present or future residents in the following districts and corridors, as specified in Policies 6.3.1 through 6.227:	
	West Newport: consolidation of retail and visitor-serving commercial uses, with remaining commercial areas developed for single family residential units
	West Newport Mesa: improvement or re-use of underperforming or underutilized commercial and industrial properties for offices and other uses that support Hoag Hospital's medical activities, improvement of remaining industrial properties adjoining the City of Costa Mesa, accommodation of nonwater dependent marine-related industries, and development of residential in proximity to jobs and services
	John Wayne Airport Area: re-use of underperforming or underutilized industrial and office properties and development of cohesive residential neighborhoods in proximity to jobs and services
	Fashion Island/Newport Center: expanded retail uses and hotel rooms and development of residential in proximity to jobs and services, while limiting increases in office development [Not sure this policy still applies. Not sure about expanding retail in fashion island and the land use change we are discussing would not "limit" office development. Further, any expansion of retail should also deal with conveniently located parking.]
	Balboa Peninsula: more efficient patterns of use that consolidate the Peninsula's visitor-serving and mixed-uses within the core commercial districts; encourage marine-related uses especially in commercial areas along the bay front; integrate residential with retail and visitor-serving uses in Lido Village, McFadden Square, Balboa Village, and along portions of the Harbor frontage; re-use interior parcels in Cannery Village for residential and limited mixed-use and live/work buildings; and redevelop underperforming underutilized properties outside of the core commercial districts along the Balboa Boulevard corridor for residential. Infill development shall be designed and sited to preserve the historical and architectural fabric of these districts
	Mariner's Mile: re-use of underperforming or underutilized properties for retail, visitor-serving, and marine-related uses, integrated with residential. [Consider creating separate policies for Haskell parcels that allows less intensity and more open area on bay side and more intensity,height and less open area on inland side of PCH.]
	Corona del Mar: enhancement of public improvements and expand public and private parking <i>(Imp 1.1, 2.1)</i>
LU 3.4 Banning Ranch. Allow/Prioritize the use/acquisition of B Banning Ranch as an open space amenity for the community and region, encourage consolidating oil operations, enhancing wetland and other habitats, and providing parkland amenities to serve nearby neighborhoods. If the property is not cannot be acquired by a public or non-profit entity within a time period and pursuant to terms agreed to by the City and property owner, allow for the development of a compact residential village that preserves the majority of the site as open space and encourages restoration of critical critical habitat in accordance with Policies 6.3.1 through 6.5.5. <i>(Imp 1.1., 2.1, 5.1, 14.7, 14.11)</i>	
LU 3.5 Coastal-Dependent and Related Businesses. Design and site new development to avoid impacts to existing coastal-dependent and coastal-related facilities (?)developments . When reviewing proposal for land use changes, give full consideration to the impact on coastal-dependent and coastal-related land uses, including not only the proposed change on the subject property, but also the potential to limit existing coastal-dependent and coastal-related land uses on adjacent properties. <i>(Imp 1.1, 2.1)</i>	
LU 3.8 Project Entitlement Review with Airport Land Use Commission Refer the adoption or amendment of the General Plan, Zoning Code, specific plans, and Planned Community development plans for land within the John Wayne Airport planning area, as established in the JWA Airport Environs Land Use Plan (AELUP), to the Airport Land Use Commission (ALUC) offer Orange County for review, as required by Section 21676 of the California Public Utilities code. In addition, refer all development projects that include buildings with a height greater than 200 feet above ground level to the ALUC for review. <i>(Imp 14.3)</i>	
Land Use Diagram	
LU 4. <i>Management of growth and change to protect and enhance the livability of neighborhoods and achieve distinct and economically vital businesses and employment districts, which are correlated with supporting infrastructure and public services and sustain Newport Beach's natural setting.</i>	

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Goals/ Policies
<p>LU 5.3.4 Districts Integrating Residential and Nonresidential Uses Require that sufficient acreage be developed for an individual use located in a district containing a mix of residential and nonresidential uses to prevent fragmentation and assure each use's visibility, quality, and compatibility with adjoining uses. (Imp 2.1, 6.1) <u>[This will be easier in some areas of town than others. For instance, in the airport area this would work, but does it could preclude mixed used buildings in more constrained areas of town.]</u></p>
<p>Community Character ("Maintaining the Character of Our Neighborhoods and Districts"): Office and Business Parks</p>
<p>LU 5.4 Office and business districts that exhibit a high quality image, are attractive, and provide quality working environments for employees.</p>
<p>LU 5.4.1 Site Planning. Require that new, and <u>to the extent feasible</u>, renovated office and retail development projects be planned to exhibit a high-quality and cohesive "campus environment," characterized by the following: Location of buildings around common plazas, courtyards, walkways, and open spaces Incorporation of extensive on-site landscaping that emphasizes special features such as entryways Use of landscape and open spaces to break the visual continuity of surface parking lots Common signage program for tenant identification and wayfinding Common streetscapes and lighting to promote pedestrian activity Readily observable site access, entrance drives and building entries and minimized conflict between service vehicles, private automobiles, and pedestrians (Imp 2.1) <u>[A renovated office project may not propose to change the site plan and retail development will not usually create a campus environment. So delete the reference to retail.]</u></p>
<p>Community Character ("Maintaining the Character of Our Neighborhoods and Districts"): Industrial Districts</p>
<p>LU 5.5 Districts that provide for the manufacturing of goods and research, and development that are attractive, compatible with adjoining nonindustrial uses, and well maintained.</p>
<p>LU 5.5.1 Site Planning and Building Design. Require that new and renovated industrial properties and structures be designed to exhibit a high quality of design and maintenance characterized by the following: Incorporation of extensive on-site landscaping Incorporation of landscape, decorative walls, and other elements that visually screen areas used for outdoor storage, processing, and other industrial operations from public places Architectural treatment of <u>publicly visible</u> building elevations Consistent and well-designed signage Control of on-site lighting, noise, odors, vibrations, toxic materials, truck access, and other elements that may impact adjoining nonindustrial land uses. (Imp 2.1)</p>
<p>Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Public and Institutional Uses and Districts</p>
<p>LU 6.1 A diversity of governmental service, institutional, educational, cultural, social, religious, and medical facilities that are available for and enhance the quality of life for residents and are located and designed to complement Newport Beach's neighborhoods.</p>
<p>LU 6.1.1 Adequate Community Supporting Uses Accommodate schools, government administrative and operational facilities, fire stations and police facilities, religious facilities, schools, cultural facilities, museums, interpretative centers, and hospitals to serve the needs of Newport Beach's residents and businesses. (Imp 1.1, 2.1)</p>
<p>Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Residential Neighborhoods</p>
<p>LU 6.2 Residential neighborhoods that contain a diversity of housing types and supporting uses to meet the needs of Newport Beach's residents and are designed to sustain livability and a high quality of life.</p>
<p>LU 6.2.3 Residential Affordability. Encourage the development of <u>the types of</u> residential units that are <u>consistent with the Housing Element</u> affordable for those employed in the City. (Imp 25.1)</p>
<p>LU 6.2.6 Home Occupations. Allow for <u>small scale</u> home occupations in Newport Beach's residential neighborhoods provided that they do not adversely impact traffic, parking, noise, lighting, and other neighborhood qualities. (Imp 2.1)</p>

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Goals/ Policies
LU 6.2.10 Gated Communities. Discourage the creation of new private entry gates in existing residential neighborhoods that currently do not have a gate located at the entrance of the community. [What is the purpose of this policy?] (Imp 9.1, 29.1)
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Districts – Banning Ranch
LU 6.3 Preferably a protected open space amenity, with restored wetlands and habitat areas, as well as active community parklands to serve adjoining neighborhoods.
LU 6.3.1 Primary Use. Open space, including significant active community parklands that serve adjoining residential neighborhoods if the site is acquired through public funding. (Imp 2.1, 23.1, 23.5, 30.2)
LU 6.3.2 Acquisition for Open Space. Endorse ^{Support} active pursuit by others of the acquisition of Banning Ranch as permanent open space, which may be accomplished through the issuance of state bonds, environmental mitigation fees, private fundraising, developer dedication, and similar techniques. (Imp 9.1, 14.7, 14.11, 30.2)
LU 6.4 <i>If acquisition for open space is not successful, a high-quality residential community with supporting uses that provides revenue to restore and protect wetlands and important habitats.</i> [Is this still valid?]
LU 6.4.1 Alternative Use. If not acquired for open space within a time period and pursuant to terms agreed to by the City and property owner, the site may be developed as a residential village containing a mix of housing types, limited supporting retail, visitor accommodations, school, and or active community parklands, with a majority of the property preserved as open space parkland. The property owner may pursue entitlement and permits for a residential village during the time allowed for acquisition as open space. (Imp 2.1)
LU 6.4.3 Retail Commercial. Accommodate a maximum of 75,000 square feet of retail commercial uses that shall be oriented to serve the needs of visitors, and local and nearby residents. (Imp 2.1)
LU 6.4.4 Overnight Accommodations. Accommodate a maximum of 75 rooms in a small boutique hotel, "bed and breakfast," or other overnight accommodations. (Imp 2.1)
LU 6.4.6 Approaches for a Livable Neighborhood. Site and design development to enhance neighborhood quality of life by: Establishing a pattern of blocks that promotes access and neighborhood identity Designing neighborhood streets to slow traffic, while maintaining acceptable fire protection and traffic flows Integrating a diversity of residential types within a neighborhood, while ensuring compatibility among different residential types Orienting and designing the residential units to relate to the street frontage Locating and designing garages to minimize their visual dominance from the street Incorporating sidewalks and parkways to foster pedestrian activity Promoting architectural diversity [?] (Imp 3.1, 4.1)
LU 6.4.7 Neighborhood Structure and Form. Establish a "village center" which may ^{containing} local serving commercial, community parks, community meeting facilities, hotel, and/or other amenities as the focal point. Buildings in the village center shall be designed to enhance pedestrian activity (e.g., visual transparency and façade modulation and articulation), integrating plazas and open spaces for public events. (Imp 3.1, 4.1)
LU 6.4.10 Sustainable Development Practices. Require that any development of Banning Ranch achieves ^s high levels of environmental sustainability that reduce pollution and consumption of energy, water, and natural resources to be accomplished through land use patterns and densities, site planning, building location and design, transportation and utility infrastructure design, and other techniques. Among the strategies that should be considered are the concentration of development, reduction of vehicle trips, use of alternative transportation modes, maximized walkability, use of recycled materials, capture and re-use of storm water on-site, water conserving fixtures and landscapes, architectural elements that reduce heat gain and loss, and preservation of wetlands and other habitats. (Imp 3.1, 4.1, 7.1, 16.8, 17.1, 19.1)

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Goals/ Policies
LU 6.5.2 Active Community Park. Accommodate a community parks of 20 to 30 acres that contains active playfields that may be lighted and is of sufficient acreage to serve adjoining neighborhoods and residents of Banning Ranch, if developed. (Imp 3.1, 4.1)
LU 6.5.3 Habitat and Wetlands. Encourage Restoration and enhance <u>ment of</u> wetlands and wildlife habitats, in accordance with permits <u>the requirements</u> of state and federal agencies. (Imp 3.1, 4.1, 14.7, 14.11)
LU 6.5.6 Communicationordination with State and Federal Agencies. Communicate <u>Work</u> with appropriate state and federal agencies to discuss <u>identify</u> wetlands and habitats to be <u>considered for</u> preserv <u>ation</u> ed and/or restor <u>ation</u> ed and those on which development will be permitted. (Imp 14.7, 14.11)
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Districts – Balboa Peninsula – Areawide
LU 6.8 <i>A series of commercial, visitor-serving, marine-related, civic, <u>[Does the word "civic" still apply?]</u>, and residential neighborhoods that are vibrant throughout the year, differentiated by their historic and functional characteristics and architectural style, yet integrated by streetscape amenities.</i>
LU 6.8.4 Shared-Parking Facilities. Encourage the development of shared parking facilities and management programs among private property owners that provides for adequate parking for residents, guests, and business patrons. <u>Discourage use of private parking spaces for uses that impede parking of vehicles.</u> (Imp 16.10)
LU 6.8.7 Property Improvement. Provide incentives for and work with property owners to improve their properties and achieve the community's vision for the Balboa Peninsula. <u>[Is there something more definitive to say after neighborhood input as of late?]</u> (Imp 24.1, 29.1)
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Districts – Balboa Peninsula – Lido Village
LU 6.9 <i>A pedestrian-oriented village environment that reflects its waterfront location, providing a mix of uses that serves visitors and local residents.</i>
LU 6.9.1 Priority Uses. Encourage uses that take advantage of Lido Village's location at the Harbor's turning basin and its vitality and pedestrian character, including visitor-serving and retail commercial, small lodging facilities (bed and breakfasts, inns), and mixed-use buildings that integrate residential with retail uses [areas designated as "MU-W2", Subarea "A"]. A portion of the Harbor frontage and interior parcels (Subarea "B") may also contain multi-family residential [designated as "RM(20/ac)"], and the parcel adjoining the Lido Isle Bridge, a recreational and marine commercial use [designated as "CM(0.3)"]. (Imp 2.1, 24.1) <u>[Need policies to reflect City Hall has moved and a new use is coming.]</u>
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Districts – Balboa Peninsula – Balboa Village
LU 6.13 <i>An economically viable pedestrian-oriented village that serves local residents and visitors and provides residential in proximity to retail uses, entertainment, and recreation.</i>
LU 6.13.3 Commercial Properties out of Village Core. Promote re-use of isolated commercial properties on Balboa Boulevard for <u>single family (?)</u> residential units. (Imp 2.1) <u>[Should more area be identified to encourage housing in place of retail? Area could benefit if there were more local customers and fewer retail competitors.]</u>
LU 6.13.6 Enhancing Balboa Village's Visibility and Character. Provide incentives for owners to improve their properties, to <u>encourage</u> develop retail uses that serve adjoining residential neighborhoods, and retain and develop marine related uses along the harbor frontage. (Imp 24.1)
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Districts – Newport Center/Fashion Island
LU 6.14 <i>A successful mixed-use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the subregion, with expanded opportunities for residents to live close to jobs, commerce, entertainment, and recreation, and is supported by a pedestrian-friendly environment. <u>[Given the proposed increases in entitlement in Newport Center, and the recent development and general plan changes since 2006, it looks like many of the policies are outdated or inconsistent with what may end up being recommended to the Council, dependent of course on the DEIR.]</u></i>

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Goals/ Policies
<p>LU 6.14.1 Fashion Island. Provide the opportunity for an additional anchor tenant [not sure where that would be], other retail, and/or entertainment and supporting uses that complement, are integrated with, and enhance the economic vitality of existing development. A maximum of 213,257 square feet of retail development capacity specified by Table LU2 (Anomaly Locations) may be reallocated for other permitted uses in Newport Center [hasn't this already happened?], provided that the peak hour vehicle trips generated do not exceed those attributable to the underlying retail entitlement. The Planning Director shall revise this number upon approval of the transfer or conversion of the retail development capacity with approval by the City Council. (Imp 2.1) [Has this revision taken place?]</p>
<p>LU 6.14.2 Newport Center. Provide the opportunity for limited residential, hotel, and office development in accordance with the limits specified by Tables LU1 and LU2. (Imp 2.1) [Not sure what "limited" means, but tables, as presumably they will be amended, should speak for themselves.]</p>
<p>LU 6.14.4 Development Scale. Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly section along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway. (Imp 2.1, 3.1, 4.1) [Does this mean that 400 block can only host buildings in scale with existing medical buildings?]</p>
<p>LU 6.14.5 Urban Form. Encourage that some new development be located and designed to orient to the inner side of Newport Center Drive, establishing physical and visual continuity that diminishes the dominance of surface parking lots and encourages pedestrian activity. (Imp 2.1, 3.1, 4.1) [Not sure this needs to remain. I wonder if new buildings in the existing surface parking lots and more structures is the feel we want for Newport Center at this point.]</p>
<p>LU 6.14.7 Fashion Island Architecture and Streetscapes. Encourage that new development in Fashion Island not impact existing convenient parking and complement and be of equivalent or higher design quality than existing buildings. Reinforce the existing promenades by encouraging retail expansion that enhances the storefront visibility to the promenades and provides an enjoyable retail and pedestrian experience. Additionally, new buildings shall be located on axes [?] connecting Newport Center Drive with existing buildings to provide visual and physical connectivity with adjoining uses, where practical. [Not sure what this last sentence means.] (Imp 3.1, 4.1)</p>
<p>LU 6.14.8 Development Agreements. Require the execution of Development Agreements for residential and mixed-use development projects that use the residential 450 units identified in Table LU2 (Anomaly Locations [Already happened?]). Development Agreements shall define the improvements and benefits to be contributed by the developer in exchange for the City's commitment for the number, density, and location of the housing units. (Imp 13.1) [Needs revision if 2014 GPA passes.]</p>
<p>LU 6.14.9 Fashion Island Parking Structures. Require new parking structures in Fashion Island to be located and designed in a manner that is compatible with the existing pedestrian scale and open feeling of Newport Center Drive. The design of new parking structures in Fashion Island shall incorporate elements (including landscaping) to soften their visual impact. (Imp 8.2) [Not sure there will be any new structures needed.]</p>
<p>Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Districts – Airport Area</p>
<p>LU 6.15 <i>A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.</i></p>
<p>LU 6.15.2 Underperforming Land Uses. Promote the redevelopment of sites with underperforming retail uses located on parcels at the interior of large blocks for other uses, with retail clustered along major arterials (e.g., Bristol, Campus, MacArthur, Birch and Jamboree), except where intended to serve and be integrated with new residential development. (Imp 2.1, 24.1)</p>

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Goals/ Policies
<p>LU 6.15.5 Residential and Supporting Uses. Accommodate the development of a maximum of 2,200 [discuss increasing this number] multi-family residential units, including work force housing, and mixed-use buildings that integrate residential with ground level office or retail uses, along with supporting retail, grocery stores, and parklands. Residential units may be developed only if they take the place of the replacement of underlying permitted nonresidential uses. When a development phase includes a mix of residential and nonresidential uses and/or replaces existing nonresidential industrial uses, the number of peak hour trips generated by cumulative development of the site shall not exceed the number of trips that would result from development of the underlying permitted nonresidential uses. FurtherHowever, a maximum of 550 additional units may be developed as infill on surface parking lots or areas not used as occupiable buildings on properties within the Conceptual Development Plan Area depicted on Figure LU22. provided that the parking per code shall be provided is replaced on site. (Imp 2.1) [Seems like the language could be clearer and to the point, but I may be missing something!]</p>
<p>LU 6.15.6 Size of Residential Villages. Allow development of mixed-use residential villages, each containing a minimum of 10 acres [Is the 10 acre requirement still consistent with Housing Element?] and centered on a neighborhood park and other amenities (as conceptually illustrated in Figure LU23 [Is LU 23 still needed? Uptown Newport had a different approach and still was consistent with the language]). The first phase of residential development in each village shall encompass at least 5 gross acres of land, exclusive of existing rights-of-way. This acreage may include multiple parcels provided that they are contiguous or face one another across an existing street. At the discretion of the City, this acreage may also include part of a contiguous property in a different land use category, if the City finds that a sufficient portion of the contiguous property is used to provide functionally proximate parking, open space, or other amenity. The "Conceptual Development Plan Area" area shown on Figure LU22 shall be exempt from the 5-acre minimum, but a conceptual development plan described in Policy LU 6.15.11 shall be required. (Imp 2.1, 3.1, 4.1)</p>
<p>LU 6.15.9 Subsequent Phase Development Location and Density. Subsequent phases of residential development shall abut the first phase or shall face the first phase across a street. The minimum average (if the first phase has to be 45-50 du/ac, then in order to average 30, subsequent phases would be less than 30.) density of residential development (including residential mixed-use development) shall be 30 units per net acre and shall not exceed the maximum of 50 units per net acre averaged over the development phase. (Imp 2.1, 3.1, 4.1)</p>
<p>LU 6.15.10 Regulatory Plans. Require the preparation development of a regulatory plan for each residential village, which shall contain a minimum of 10 acres, to establish a design theme and standard for buildings and site work (such as landscaping lighting, walls/fencing, signage and other, common areas and the like), plan coordinate the location and phasing of buildings, new parks, streets, and pedestrian ways, infrastructure and other facilities; set forth a strategy to accommodate neighborhood serving commercial uses and other amenities; establish pedestrian and vehicular connections with adjoining land uses; and ensure compatibility with office, industrial, and other nonresidential uses. (Imp 2.1, 3.1, 4.1, 13.1)</p>
<p>LU 6.15.11 Conceptual Development Plan Area. Require the development of one conceptual development plan for the area depicted on Figure LU22, should residential units be proposed on any property within this area. This plan shall demonstrate the compatible and cohesive integration of new housing, parking structures, open spaces, recreational amenities, pedestrian and vehicular linkages, and other improvements with existing nonresidential structures and uses. To the extent existing amenities are proposed to satisfy Neighborhood Park requirements, the plan shall identify how these amenities will meet the recreational needs of residents. Each residential village in the Conceptual Development Plan Area shall also comply with all elements required for regulatory plans defined by Policy 6.15.10. (Imp 2.1, 3.1, 4.1) [Is this necessary? As a practical matter, each owner or owners who meet the 10 acre requirement will prepare their own plan. So I am not sure it makes sense to have a requirement that effectively the first one to propose residential would have to prepare a Concept Plan for the entire area outlined in green on LU 22. That didn't happen with Uptown Newport.]</p>
<p>LU 6.15.12 Development Agreements. A Development Agreement shall be required for all projects that include infill residential units. The Development Agreement shall define the improvements and public benefits to be provided by the developer in exchange for the City's commitment for the number, density, and location of the housing units. (Imp 2.1, 3.1, 4.1, 13.1) [Just for infill units?]</p>
<p>Neighborhood Parks</p>
<p>LU 6.15.13 Standards. To provide a focus and identity for the entire neighborhood and to serve the daily recreational and commercial needs of the community within easy walking distance of homes, require dedication and improvement of at least 8 percent of the gross land area (exclusive of existing rights-of-way) of the first phase development in each neighborhood, or ½ acre, whichever is</p>

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Goals/ Policies
greater, as a neighborhood park. This requirement may be waived by the City where it can be demonstrated that the development parcels are too small to feasibly accommodate the park or inappropriately located to serve the needs of local residents, and when an in-lieu fee is paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area. In every case (what if waived as per above?) , the neighborhood park shall be at least 8 percent of the total Residential Village Area or one acre in area, whichever is greater, and shall have a minimum dimension of 150 feet [all dimensions?] . Park acreage shall be exclusive of existing or new rights-of-way, development sites, or setback areas. A neighborhood park shall satisfy some or all of the requirements of the Park Dedication Ordinance, as prescribed by the Recreation Element of the General Plan. <i>(Imp 2.1, 3.1, 4.1, 23.1, 30.2)</i>
On-Site Recreation and Open Space
LU 6.15.16 Standards. Require developers of multi-family residential developments on parcels 8 acres or larger to provide on-site recreational amenities. For these developments, 44 square feet of on-site recreational amenities shall be provided for each dwelling unit in addition to the requirements under the City's Park Dedication Ordinance and in accordance with the Parks and Recreation Element of the General Plan. On-site recreational amenities can consist of public urban plazas or squares where there is the capability for recreation and outdoor activity. These recreational amenities may also include swimming pools, exercise facilities, tennis courts, and basketball courts. Where there is insufficient land to provide on-site recreational amenities, the developer shall be required to pay cash in-lieu that would be used to develop or upgrade nearby recreation facilities to offset user demand as defined in the City's Park Dedication Fee Ordinance. The acreage of on-site (private?) open space developed as part of a with residential projects may be credited against the parkland dedication requirements where it is accessible to the public during daylight hours, visible from public rights-of-way, and is of sufficient size to accommodate recreational use by the public. However, the credit for the provision of on-site open space shall not exceed 30 percent of the parkland dedication requirements. <i>(Imp 2.1, 3.1, 4.1, 30.2)</i>
Streets and Pedestrian Ways
LU 6.15.19 Connected Streets. Require dedication and improvement of new streets as shown on Figure LU23. The illustrated alignments are tentative and may change as long as the routes provide the intended connectivity. If traffic conditions allow, connect new and existing streets across Macarthur Boulevard with signalized intersections, crosswalks, and pedestrian refuges in the median. <i>(Imp 16.1)</i> [Not sure this makes any sense. Why would these streets be dedicated? I am not sure Figure LU 23 has any continuing usefulness.]
LU 6.15.20 Pedestrian Improvements. Require the dedication and improvement of new pedestrian ways as conceptually shown on Figure LU23. [Same comment. Paths should not be closed to public, but do not need to be owned by the City?] The alignment is tentative and may change as long as the path provides the intended connectivity. For safety, the full length of pedestrian ways shall be visible from intersecting streets. To maintain an intimate scale and to shade the path with trees, pedestrian ways should not be sized as fire lanes. Pedestrian ways shall be open to the public at all hours. <i>(Imp 16.11)</i>
Relationship of Buildings to Street
LU 6.15.23 Sustainable Development Practices. Require that development achieves a practicable-high level of environmental sustainability that reduces pollution and consumption of energy, water, and natural resources. This may be accomplished through the mix and density of uses, building location and design, transportation modes, and other techniques. Among the strategies that should be considered are the integration of residential with jobs-generating uses, use of alternative transportation modes, maximized walkability, use of recycled materials, capture and re-use of storm water on-site, water conserving fixtures and landscapes, and architectural elements that reduce heat gain and loss. <i>(Imp 3.1, 4.1, 16.11, 17.1, 19.1)</i>
Campus Tract
LU 6.15.25 Economic Viability. Provide incentives for lot consolidation and the re-use and improvement of properties located in the "Campus Tract," west of Birch Street. <i>(Imp 2.1, 24.1)</i> [Like what?]
LU 6.15.26 Automobile Rental and Supporting Uses. Work with automobile rental and supporting uses to promote the consolidation and visual improvement of auto storage, service, and storage facilities. <i>(Imp 24.1)</i> [What does "work with" entail? Is there something specific we can do?]

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Goals/ Policies
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Corridors – Mariners' Mile
LU 6.19 <i>A corridor that reflects and takes advantage of its location on the Newport Bay waterfront, supports and respects adjacent residential neighborhoods and exhibits a quality visual image for travelers on Coast Highway. [See earlier comment about new policies for Haskell bay side and inland side parcels.]</i>
LU 6.19.2 Bay Fronting Properties. Encourage marine-related and visitor-serving retail, restaurant, hotel, institutional, and recreational uses, and allow residential uses above the ground floor on parcels with a minimum frontage of 200 lineal feet where a minimum of 50 percent of the permitted square footage shall be devoted to nonresidential uses. No more than 50 percent of the waterfront area development between the Arches Bridge and the Boy Scout Sea Base may be developed with mixed-use structures. <i>(Imp 2.1, 5.1, 24.1)</i>
LU 6.19.4 Inland side of Coast Highway. Accommodate a mix of visitor- and local-serving retail commercial, residential, and public uses. The Coast Highway frontage shall be limited to nonresidential uses. On inland parcels, generally between Riverside Avenue and Tustin Avenue, priority should be placed on accommodating uses that serve upland residential neighborhoods such as daily convenience grocery stores, specialty retail, small service offices, restaurants, coffee shops, and similar uses. <i>(Imp 2.1, 5.1)</i>
LU 6.19.9 Harbor and Bay Views and Access. Require that buildings be located and sites designed to provide clear views of and access to the Harbor and Bay from the Coast Highway and Newport Boulevard rights-of-way in accordance with the following principles, as appropriate: Clustering of buildings to provide open view and access corridors to the Harbor Modulation of building volume and masses Variation of building heights to discourage two story structures abutting Coast Highway Inclusion of porticoes, arcades, windows, and other "see-through" elements in addition to the defined open corridor Minimization of landscape, fencing, parked cars, and other nonstructural elements that block views and access to the Harbor Prevention of the appearance of the public right-of-way being walled off from the Harbor Inclusion of setbacks that in combination with setbacks on adjoining parcels cumulatively form functional view corridors Encouragement of adjoining properties to combine their view corridors that achieve a larger cumulative corridor than would have been achieved independently. A site-specific analysis shall be conducted for new development to determine the appropriate size, configuration, and design of the view and access corridor that meets these objectives, which shall be subject to approval in the Development Plan review process. <i>(Imp 2.1)</i>
LU 6.19.12 Properties Abutting Bluff Faces. Require that development projects locate and design buildings to maintain the visual quality and maintain the structural integrity of the bluff faces. <i>(Imp 2.1)</i> [How does this work if higher structures are allowed on inland Haskell property as a trade-off for less intensity on the Haskell bay fronting property.]
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Corridors – Corona del Mar
LU 6.20 <i>A pedestrian-oriented "village" serving as the center of community commerce, culture, and social activity and providing identity for Corona del Mar.</i>
LU 6.20.1 Primary Uses. Accommodate neighborhood-serving uses that complement existing development. <i>(Imp 2.1)</i>
LU 6.20.2 Shared Parking Structures. Accommodate the development of structures on public or private parcels or other public/private arrangement that provides additional parking on parcels for multiple businesses along the corridor, provided that the ground floor of the street frontage is developed for pedestrian-oriented retail uses. <i>(Imp 2.1, 16.10)</i>

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Goals/ Policies	Retain, Modify, Consolidate, or Delete	Recommendations
Roles and Character of Newport Beach ("Who We Are")		
LU 1. <i>A unique residential community with diverse coastal and upland neighborhoods, which values its colorful past, high quality of life, and community bonds, and balances the needs of residents, businesses, the harbor, and visitors through the recognition that Newport Beach is primarily a residential community.</i>	modify	I don't think that it is accurate that Newport Beach is “primarily” a residential community; Villa Park, for example, might be considered primarily a residential community.
LU 1.3 Natural Resources. Protect the natural setting that contributes to the character and identity of Newport Beach and the sense of place it provides for its residents and visitors. Preserve open space resources, beaches, harbor, bays, channels, parks, bluffs, preserves, and estuaries as visual, recreational and habitat resources. (Imp 1.1)	Modify	
LU 1.6 Public Views. Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor, and other water vistas from public vantage points. (Imp 1.1)	Modify	
Uses to be Accommodated ("What Uses Contribute to Our Community?")		
LU 2.7 Oil and Gas Facilities. Prohibit the construction of new onshore oil processing, refining, or transportation facilities, including facilities designed to transport oil from offshore tracts, with the exceptions of slant drilling from onshore oil fields or for the consolidation and more efficient production of wells should Banning Ranch be annexed to the City. (Imp 2.1, 5.1)	Possibly Modify	Please double-check that this is consistent with recent charter updates on oil drilling in Banning Ranch
LU 2.8 Adequate Infrastructure. Accommodate the types, densities, and mix of land uses that can be adequately supported by transportation and utility infrastructure (water, sewer, storm drainage, energy, technology cabling, and so on) and public services (schools, parks, libraries, seniors, youth, police, fire, and so on). (Imp 1.1, 10.2, 11.1)	Modify	
Organizational and Form of Uses ("How Are Land Uses Distributed?")		

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Goals/ Policies	Retain, Modify, Consolidate, or Delete	Recommendations
LU 3.2 Growth and Change. Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale, and character. Changes in use and/ or density/ intensity should be considered only in those areas that are economically underperforming, are necessary to accommodate Newport Beach’s share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live and work for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service. <i>(Imp 1.1, 2.1, 5.1, 10.2, 16.2, 17.1, 18.1, 19.1, 22.1, 23.1, 23.2)</i>	<p>modify</p>	
LU 3.3 Opportunities for Change. Provide opportunities for improved development and enhanced environments for residents in the following districts and corridors, as specified in Policies 6.3.1 through 6.227:	<p>Retain</p>	
West Newport: consolidation of retail and visitor-serving commercial uses, with remaining areas developed for new and renovated/upgraded residential units	<p>modify</p>	
John Wayne Airport Area: re-use of underperforming commercial , industrial and office properties and development of cohesive residential neighborhoods in proximity to jobs and services	<p>modify</p>	
Fashion Island/Newport Center: expanded retail uses and hotel rooms and development of residential in proximity to jobs and services, while limiting allowing reasonable increases in office development	<p>modify</p>	

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Goals/ Policies		Retain, Modify, Consolidate, or Delete	Recommendations
	Balboa Peninsula: more efficient patterns of use that consolidate the Peninsula’s visitor-serving and mixed-uses within the core commercial districts; encourage marine-related uses especially along the bay front; integrate residential with retail and visitor-serving uses in Lido Village, McFadden Square, Balboa Village, and along portions of the Harbor frontage; re-use interior parcels in Cannery Village for residential and limited mixed-use and live/work buildings; and redevelop underperforming properties outside of the core commercial districts along the Balboa Boulevard corridor for residential. Infill development shall be designed and sited where possible to preserve the historical and architectural fabric of these districts	modify	
	Mariner’s Mile: re-use of underperforming properties for retail, commercial , visitor-serving, and marine-related uses, integrated with residential	modify	
LU 3.4 Banning Ranch. Prioritize the acquisition of B Banning Ranch as an open space amenity for the community and region, consolidating oil operations, enhancing wetland and other habitats, and providing parkland amenities to serve nearby neighborhoods. If the property cannot be acquired within a time period and pursuant to terms agreed to by the City and property owner, allow for the development of a compact residential and commercial village that preserves the majority of the site as open space and restores critical habitat in accordance with Policies 6.3.1 through 6.5.5. (<i>Imp 1.1., 2.1, 5.1, 14.7, 14.11</i>)		modify	
LU 3.5 Coastal-Dependent and Related Businesses. Where possible and reasonable, design and site new development to avoid impacts to existing coastal-dependent and coastal-related developments. When reviewing proposal for land use changes, give full consideration to the impact on coastal-dependent and coastal-related land uses, including not only the proposed change on the subject property, but also the potential to limit existing coastal-dependent and coastal-related land uses on adjacent properties. (<i>Imp</i>		modify	

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Goals/ Policies	Retain, Modify, Consolidate, or Delete	Recommendations
1.1, 2.1)		
LU 3.6 Waterfront Access. Use public beaches for public recreational uses and prohibit uses on beaches that interfere with public access and enjoyment of coastal resources. Encourage the expansion and improvement of access to the waterfront and water-related uses that provide important links to waterfront uses such as beaches, launching facilities, public docks, and other similar public water area uses. (Imp 1.1, 5.1)	Possibly Modify	Is any reference appropriate to limitation of fire rings? Is any reference appropriate to private docks and fee for usage, e.g., revisiting the issue from time to time?
LU 3.7 Natural Resources or Hazardous Areas. Require that new development is located and designed to protect areas with high natural resource value and protect residents and visitors from threats to life or property. (Imp 2.1, 6.1)	Possibly Modify	Should there be any reference to future sea wall/bulkhead issues for Balboa Island and otherwise in the harbor?
Land Use Diagram		
LU 4.1 Land Use Diagram. Accommodate land use development consistent with the Land Use Plan. Figure LU1 depicts the general distribution of uses throughout the City and Figure LU2 through Figure LU15 depict specific use categories for each parcel within defined Statistical Area. Table LU1 (Land Use Plan Categories) specifies the primary land use categories, types of uses, and, for certain categories, the densities/intensities to be permitted. The permitted densities/intensities or amount of development for land use categories for which this is not included in Table LU1, are specified on the Land Use Plan, Figure LU4 through Figure LU15. These are intended to convey maximum and, in some cases, minimums that may be permitted on any parcels within the designation or as otherwise specified by Table LU2 (Anomaly Locations)	Retain	

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Goals/ Policies		Retain, Modify, Consolidate, or Delete	Recommendations
	c. For anomalies identified on the Land Use Map by a symbol, refer to Table LU2 to determine the precise development limits.	Possibly Revise	Are there changes which should be made to the anomalies table?
Community Character ("Maintaining the Character of Our Neighborhoods and Districts"): Residential Neighborhoods			
LU 5.1.1 Compatible but Diverse Development. Establish property development regulations for residential projects to create compatible and high-quality development that contributes to and sustains neighborhood character. <i>(Imp 2.1)</i>		Modify	
LU 5.1.4 Neighborhood Maintenance. Promote the maintenance of existing residential units through code enforcement and promotion of County and local property rehabilitation programs and public education. This may include providing information, guidance, and assistance where feasible. <i>(Imp 23.3, 25.1, 26.1, 29.1)</i>		Modify	
LU 6.1.5 Hoag Hospital. Support Hoag Hospital and its alliances in its their mission to provide adequate facilities to meet the needs of area residents. Work with the Hospital and its alliances to ensure that future development plans consider its their relationship to and ensure compatibility with adjoining residential neighborhoods and mitigate impacts on local and regional transportation systems. <i>(Imp 24.1)</i>		Modify	
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Residential Neighborhoods			
LU 6.2.7 Care Facilities. Regulate Day Care and Residential Care facilities to the maximum extent allowed by federal and state law to minimize impacts on residential neighborhoods, and actively pursue federal and state legislation that would give cities the ability to prohibit an over-concentration of recovery homes or sober living homes in residential areas. <i>(Imp 2.1)</i>		Possibly Modify	Any change required here to reference Newport Beach's litigation experience?
LU 6.2.10 Gated Communities. Discourage the creation of new private entry gates in existing residential neighborhoods that currently do not have a gate located at the entrance of the community. <i>(Imp 9.1, 29.1)</i>		Question	What was the genesis of this policy?

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Goals/ Policies	Retain, Modify, Consolidate, or Delete	Recommendations
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Districts – Banning Ranch		
LU 6.3 <i>Preferably a protected open space amenity, with restored wetlands and habitat areas, as well as active community parklands to serve adjoining neighborhoods.</i>	Possibly Modify	Is this our current goal for Banning Ranch?
LU 6.3.1 Primary Use. Open space, including significant active community parklands that serve adjoining residential neighborhoods if the site is acquired through public funding. <i>(Imp 2.1, 23.1, 23.5, 30.2)</i>	Possibly Modify	Is this a current policy for Banning Ranch?
LU 6.3.2 Acquisition for Open Space. Support active pursuit of the acquisition of Banning Ranch as permanent open space, which may be accomplished through the issuance of state bonds, environmental mitigation fees, private fundraising, developer dedication, and similar techniques. <i>(Imp 9.1, 14.7, 14.11, 30.2)</i>	Possibly Modify	Is this a current policy for Banning Ranch?
LU 6.15.5 Residential and Supporting Uses. Accommodate the development of a maximum of 2,200 multi-family residential units, including work force housing, and mixed-use buildings that integrate residential with ground level office or retail uses, along with supporting retail, grocery stores, and parklands. Residential units may be developed only as the replacement of underlying permitted nonresidential uses. When a development phase includes a mix of residential and nonresidential uses or replaces existing industrial uses, the number of peak hour trips generated by cumulative development of the site shall not exceed the number of trips that would result from development of the underlying permitted nonresidential uses. However, a maximum of 550 units may be developed as infill on surface parking lots or areas not used as occupiable buildings on properties within the Conceptual Development Plan Area depicted on Figure LU22 provided that the parking is replaced on site. <i>(Imp 2.1)</i>	Possibly Modify	Is the number 2,200 multifamily residential units still appropriate?
LU 6.17.3 Streetscape. Require that upgraded and redeveloped properties incorporate landscaped setbacks along arterial streets to improve their visual quality and reduce impacts of the corridor’s high traffic volumes. <i>(Imp 2.1)</i>	Modify	Can we add a policy concerning the acquisition of the mobile home park for parking for Orange Coast River Park use?

INSTRUCTIONS: The table below lists the existing Land Use Element GOALS and POLICIES and applying these for development review and entitlement and other City actions. You will evaluate the relevance, practical and fiscal feasibility, and consistency with other City policies. If you recommend a goal or policy be retained, modified, consolidated, or deleted, please note this in the second column. Specific recommendations for language changes should be noted for new text in the first column. Please email your comments to: **Gregg Ramirez** at GRamirez@newportbeachca.gov by **October 20, 2013**.

Comments submitted by Paul Watkins, Land Use Committee Member. Policies recommended to “retain” have been deleted to limit file size.

Goals/ Policies	Retain, Modify, Consolidate, or Delete	Recommendations
Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach") : Corridors – Mariners’ Mile		
LU 6.19.13 Lot Consolidation on Island Inland Side of Coast Highway. Permit development intensities in areas designated as “CG(0.3)” to be increased to a floor area ratio of 0.5 where parcels are consolidated to accommodate larger commercial development projects that provide sufficient parking. (<i>Imp 2.1, 5.1</i>)	Modify	

Attachment No. 3

Public Correspondence

COURTHOUSE PLAZA ASSOCIATION
5100 BIRCH STREET, NEWPORT BEACH, CALIFORNIA 92660
(949) 833-1972 FAX (949) 851-2055

October 22, 2013

Mr. Gregg Ramirez
Senior Planner
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

**Re: General Plan Update
Newport Beach, California**

Dear Mr. Ramirez:

I am submitting these comments on behalf of Courthouse Plaza Association. This association includes 5100, 5120, 5140 and 5160 Birch Street, a four building office complex located in the Airport Area. Our site totals approximately 2 acres and contains four office buildings totaling approximately 33,500 square feet.

Our property lies adjacent to the proposed Uptown Newport residential development. In addition, several other residential projects are proposed in the immediate area. This future residential development may change the nature of the existing office park environment to the extent that continued office use of our parcel is problematic. Therefore, to address our concerns about the future of our parcel, we are asking the city to allocate future residential units specifically to our parcel.

We are requesting that the city identifies our parcel for an allocation of the residential replacement units available in the Airport Area. We request an allocation of approximately 50 units per acre, or approximately 100 units, which would allow future redevelopment of our parcel to a density similar to the adjacent Uptown Newport project. At the minimum, we request an allocation for our parcel at the maximum allowed by the current general plan land use designation.

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,

COURTHOUSE PLAZA ASSOCIATION

A handwritten signature in blue ink, appearing to read "Brian C. Adams", with a stylized flourish at the end.

Brian C. Adams



Real Estate Investment Builders • Developers

October 23, 2013

Mr. Ed Selich, Chairman
Land Use Advisory Committee Members
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92657

Re: Land Use Element, General Plan Update, and Via Lido Plaza

Dear Chairman Selich and Committee,

The Fritz Duda Company has been monitoring the developments within your Committee this Summer and commend you on a job well done in balancing the long-term look at the City's General Plan against short-term goals and objectives. As you are aware, we are the owners of the Via Lido Plaza, home to the new West Marine flagship store, Starbucks, Bank of America, Regency Theater, and many others. As you are also aware, our property shares access with the old City Hall site, currently being planned for redevelopment as a hotel.

As the area around our property continues to grow and evolve, so too should the property within to meet the changing needs of the area. To that end, we hereby request that the Committee consider adding our property into the Land Use Element General Plan Update currently being studied by the City. We propose a very modest change to the Zoning on our property, from CG (Commercial General) which carries and .5 FAR to MU-V (Mixed Use – Vertical) which increases the FAR to .75 and allows residential uses on-site should the market demand and changing character of the surrounding area support it.

We don't anticipate changing the uses of the site anytime soon, but believe that this undertaking by the City is an appropriate time to study the specifics of this change in the future. We are prepared to meet with Staff immediately to discuss the specifics of this proposed change and do not feel that it would slow down or inhibit the overall timeline or goals in any way. Should additional traffic trips be required to allow this change to happen, there are a number of excess trips in this site's geographic region which should be used to encourage economic development and impact mitigation within the same or adjacent geographic regions, not pushed around the City and centralized in one area.

Very truly yours,


Ryan Jones
Vice President – Real Estate
Fritz Duda Company

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